

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65245 of 2019

Arising Out of PS. Case No.-1133 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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BAJRANG GUPTA Son of Dilip Gupta Resident of Village - Godarmana,
P.S.- Chutia, District- Godhawa (Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rina Devi Wife of Bajrang Gupta, D/O - Shyam Babu Prasad Resident of
Village - Ballua, Kathautiya, P.S.- Maner, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-01-2020 This application, for grant of anticipatory bail, arises
out of Danapur Complaint Case No. 1133(C) of 2018,
disclosing offences under Sections 498A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against the petitioner is of subjecting the
complainant to cruelty and torture with respect to non fulfilment
of demand of dowry of Rs. Three Lakhs and other articles.

Submission of learned counsel for the petitioner is
that he is still ready to keep the complainant – wife with full
honour and dignity and it is the complainant, who does not want
to live with the petitioner.



Whereas, the stand of complainant is that the petitioner has illicit relationship with another lady and she does not want to live with the petitioner and although she has been residing separately from the petitioner for more than a year but no money towards her maintenance is being given by the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of a copy of this order and if the petitioner is ready to pay Rs. 2,000/- per month to complainant till the complainant files a case in the family court for grant of maintenance and order is passed in the said maintenance case, the court below shall release him on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Danapur Complaint Case No. 1133(C) of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

In the meantime, it is expected that complainant



will move the family court by filing a case for grant of maintenance from the petitioner and the petitioner on service of personal notice, has to appear and cooperate in disposal of maintenance case.

It is made clear that if the petitioner fails to pay the aforesaid amount of Rs. 2,000/- to the complainant consecutively for three months, the complainant will be at liberty to move the court below for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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